

**Remarks:**

In the specification, paragraph [0038] has been amended to numerically identify a switch 160 that was previously described but not shown

Claims 1-20 are currently pending in the application. By this amendment, claims 13, 15, and 18-20 are amended, claims 12, 17, 19, and 20 are cancelled, and claims 21-23 are added.

Claims 13, 15, and 18 are amended to correct claim dependency. Claims 19 and 20 have been replaced by new claims 22 and 23, which locate the vacuum system in a storage area behind the rear seat of a vehicle. Claim 21 essentially corresponds to cancelled claim 12 in combination with the concept from cancelled claim 17, which has been indicated by the Examiner to be patentable.

The attached drawings sheets include a replacement sheet and an annotated sheet made in accordance with objections raised by the Examiner, as is explained more fully below. Briefly, Fig. 14 has been amended to include the switch 160.

Applicants believe the amendments made herein add no new matter. Any amendments to the claims which have been made in this amendment, and which have not been specifically noted to overcome a rejection based on prior art, should be considered to have been made for a purpose unrelated to patentability, and no estoppel should be deemed to be attached thereto.

Reconsideration and reexamination of the application is respectfully requested in view of the amendments and the following remarks.

**Objections to the Drawings**

The drawings are objected to by the Examiner under 37 CFR 1.83 (a) for failure to show every feature of the invention specified in the claims. Applicants have amended Fig. 14 to show the missing feature, in this case to show a switch 160 that permits cleaning solution to be sprayed from nozzle 158 upon actuation of the switch 160. The switch 160 was previously described in the application, but not shown in the drawings. The drawing amendment illustrates the switch in the same manner as the other switches in the application. Therefore, it is respectfully submitted

that no new matter is added by the addition of the switch. Accordingly, Applicants respectfully request that this objection be withdrawn.

### **Objections to the Claims**

Claim 19 stands rejected by the Examiner under 35 U.S.C. §102(b) as being anticipated by Cameron. The rejection is respectfully traversed.

The rejection is moot in light of the cancellation of claim 19. However, as claim 22 replaces claim 19, the rejection will be addressed with respect to claim 22.

For Cameron to anticipate claim 22, each and every limitation in the claims must be found in Cameron. Since this is not the case, the anticipation rejection must fail.

Cameron discloses a mobile carpet cleaning unit 12 that is mounted within a van or truck 10. The cleaning unit 12 includes a vacuum box 30 that receives dirt and residue from a cleaning operation, two cleaning supply tanks 14, 16, a hose 20 that delivers cleaning solution to a vacuum wand 66, and a hose 22 through which cleaning solution and dirt are withdrawn and deposited in the vacuum box 30. The cleaning unit 12 is mounted to a framework 100 so that the entire cleaning unit may be removed from the truck 10 and transferred to another vehicle. The hoses 20, 22 and the vacuum wand 66 must be connected to the cleaning unit 12 before each use.

The Cameron carpet cleaning unit 12 is a large-scale commercial unit that requires a substantial portion of the van or truck 10 interior to be devoted to the cleaning unit 12. The cleaning unit 12 essentially requires a dedicated carpet cleaning vehicle to transport the cleaning unit 12 to locations where it is used. Claim 22, however, is directed to a passenger vehicle comprising an interior space with a front and rear seat located in the interior space. The interior space further has a storage area behind the rear seat in which the cleaning system is located. Cameron does not disclose the specific construction of a vehicle an interior space having front and rear seats, with a storage area behind the rear seat, and a cleaning system that is received in the storage area behind the rear seat. In fact, the storage system of Cameron is so large and made for an industrial scale that it would not fit within a storage area as described.

Therefore, claim 22 is not anticipated by Cameron because Cameron does not disclose the claims vehicle having a front seat, a rear seat, and a storage space in the interior space of the vehicle, and a cleaning system located in the storage space.

Claims 1-3 and 5 stand rejected by the Examiner under 35 U.S.C. §103(a) as being unpatentable over Laurent in view of Schollmayer. The rejection is respectfully traversed.

Laurent discloses a vacuum cleaning unit for a vehicle comprising a debris collecting drawer 18, and a hose 7 and nozzle 8 for drawing debris into the collecting drawer 18. The hose 7 is manually wound onto a rotatable drum 17 for storage.

Schollmayer discloses a vacuum cleaner that is attached to a molded mounting 11 on the rear seat 4 of a vehicle and facing the trunk 10 of the vehicle. The vacuum cleaner comprises a vacuum source 1 and a bag 2. An intake opening 8 for attaching a hose 6 is accessed by folding down the armrest of the rear seat. When not in use, the hose and various attachments 7 are stored in a separate storage container 5 and the intake opening 8 is covered with an encasing 9.

The rejection is improper in that Laurent and Schollmayer teach against making the combination as asserted because they teach antithetical concepts and are therefore not combinable. Laurent teaches a self-contained vacuum cleaning unit, while Schollmayer teaches a vacuum cleaner that requires assembly before it can be used. Specifically, the vacuum cleaning unit taught by Laurent can be used simply by drawing the vacuum hose out from the reel. To use the vacuum cleaner taught by Schollmayer, the hose and attachment must be brought out from the separate storage container and then attached to the vacuum cleaner. Essentially, Laurent teaches integral storage of the vacuum hose, while Schollmayer teaches discrete and remote hose storage. These two concepts cannot be reconciled with each other and therefore, the combination of Laurent and Schollmayer is improper and the rejection fails accordingly.

Moreover, the combination as suggested in the office action would in essence require placing the Laurent vacuum cleaning unit behind and pulling its nozzle and hose through an opening in the seat and leaving the nozzle in the opening for removal by a user. However, neither reference suggests making such a configuration. In fact, the combination as suggested

would change the principle of operation of both Laurent and Schollmayer. Laurent operates on the principle of an externally located nozzle connected to a retractable hose. Schollmayer works on the principle of a remotely stored hose and nozzle, with the hose removable coupled to an inlet to the vacuum that is located within the seat. To locate the vacuum of Laurent behind the seat and the nozzle of Laurent within the duct in the seat is not suggested by either reference and destroys the external access principle of Laurent and the remote storage of principle of Schollmayer. The combination cannot be sustained because it changes the operating principle of Laurent and Schollmayer.

It is respectfully submitted that the combination of Laurent and Schollmayer is based on a mischaracterization of the teaching of Schollmayer. The Office Actions refers to Schollmayer as having a “console”, which is incorrect. Schollmayer discloses a seat with a pivotable armrest that can be lowered. The vacuum mounted to the back of the seat has an inlet conduit that extends through the seat and to which the remotely stored hose can be coupled. Schollmayer does not disclose storing any portion of the hose or nozzle within the seat. As such, it is an error for the Office Action to characterize the seat with an arm rest as a console. If referring to the seat with an armrest as a console, it erroneously ascribes to the seat the function of being able to store something, which is not supported by Schollmayer.

Applicants have had portion of Schollmayer related to the description of Figs. 1 and 2 translated. The translated portion clearly shows that the seat with the armrest is not a console. The translated portion of Schollmayer is attached as Appendix B.

Assuming, *arguendo*, that the combination of Laurent and Schollmayer is tenable, the rejection is still improper as the combination of Laurent and Schollmayer does not reach the Applicant's claimed invention. If the vacuum cleaner of Schollmayer were combined with the vacuum cleaning unit of Laurent, as suggested in the Office Action, the combination would result in mounting the vacuum cleaning unit of Laurent behind the seat of a vehicle, as taught by Schollmayer, with the externally accessible nozzle of Laurent or a remotely stored nozzle of Schollmayer. The combination would not teach storing the nozzle in the opening of the seat behind the armrest..

The combination would also not disclose a console in which the nozzle is stored because, as previously stated, Schollmayer does not discloses a vacuum console 9 adapted to house a vacuum nozzle, as stated on page 4 of the Office Action. What the Examiner has termed a console 9 is an encasing that covers the intake opening 8 where a vacuum hose 6 is attached thereto. As neither reference teaches a console that houses a vacuum nozzle, the resulting combination will not teach a console housing the vacuum nozzle.

There is furthermore no teaching or suggestion in the combination that would render the vacuum console of the claimed invention obvious. Neither reference forming the combination makes any provision whatsoever for a vacuum console. One of ordinary skill in the art would not look at the combination and think to store the nozzle within a console as no console is shown and the combination does not disclose an internal storing of the nozzle. Thus, claim 1 is patentable over the combination of Laurent and Schollmayer.

Claims 2, 3 and 5 are also patentable over Laurent and Schollmayer based on their direct dependency on claim 1.

Claims 4 and 7-9 are rejected by the Examiner under 35 U.S.C §103(a) as being unpatentable over Laurent and Schollmayer, as applied to claim 1, and further in view of Harrelson. The rejection is respectfully traversed.

Harrelson discloses a vacuum cleaning unit that is attachable to the ceiling of a building. The vacuum cleaning unit comprises a housing 10 attached to the ceiling by motorized pulleys 13 and having a hose storage compartment 20 and a vacuum source 48. A vacuum hose 18 is movable between a retracted position where it is stored in the storage compartment 20 and an extended position. A hose drive assembly 16 is provided on the housing 10 to move the hose 18 between the two positions. The vacuum hose 18 has a handle with switches 110, 112, and 113 for controlling, respectively, the hose drive assembly 16, the vacuum source 48, and the pulleys 13.

There is no teaching or suggestion in Harrelson to a vacuum console that houses a vacuum nozzle. As such, Harrelson does not remedy the shortcomings of underlying combination of Laurent and Schollmayer with respect to claim 1. Therefore claims 4 and 7-9 are

patentable over Laurent and Schollmayer for the same reasons as claim 1 based on their direct or indirect dependency on claim 1.

Claims 12, 15 and 16 stand rejected by the Examiner under 35 U.S.C. §103(a) as being unpatentable over Laurent in view of Harrelson. The rejection is respectfully traversed.

Claim 12 has been cancelled, and therefore the rejection with respect to claim 12 is moot.

Claim 12 is replaced by claim 21, which contains the concept of claim 17 that was indicated patentable in the Office Action.

Claims 15 and 16 depend directly from claim 21 and therefore claims 15 and 16 are patentable for the same reasons as claim 21.

Claims 13 and 14 stand rejected by the Examiner under 35 U.S.C. §103(a) as being unpatentable over Laurent and Harrelson, as applied to claim 12, and further in view of Schollmayer. The rejection is respectfully traversed.

Claims 13 and 14 depend directly from claim 21, and therefore claims 13 and 14 are patentable for the same reasons as claim 21.

Claims 12, 15, 16, 18 and 20 stand rejected by the Examiner under 35 U.S.C. 103(a) as being unpatentable over Cameron in view of Harrelson. The rejection is respectfully traversed.

Claim 12 has been cancelled, and therefore the rejection with respect to claim 12 is moot.

Claims 15, 16 and 18 depend directly from claim 21, and are therefore patentable for the same reasons as claim 21.

Claim 20 has been canceled from the application rendering the rejection moot. However, since claim 23 replaces claim 20 and claim 23 depends on claim 22, the rejection will be addressed with respect to claim 22. As discussed above, Claim 22 is directed to a vehicle comprising an interior space with a front and rear seat located in the interior space. The interior space further has a storage area behind the rear seat for locating a cleaning system.

There is no teaching or suggestion in either Cameron or Harrelson of a vehicle with a front seat, a rear seat, and a storage space behind the rear seat in the interior of the vehicle and further having a cleaning system in the storage area. Cameron discloses a large-scale carpet cleaning unit 12 that requires a substantial portion of the van or truck 10 interior to be devoted to

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the cleaning unit 12 and essentially requires a dedicated carpet cleaning vehicle to transport the cleaning unit 12 to locations where it is used. It would not be possible to provide the carpet cleaning unit 12 of Cameron in a vehicle having a front and rear seat due to the space that the cleaning unit 12 requires. Furthermore, since the cleaning unit 12 of Cameron is directed to a commercial-type mobile carpet cleaning unit, there is no motivation to do so. Harrelson discloses a ceiling-mounted vacuum system for a building, and makes no suggestion of mounting the vacuum system in a vehicle.

Therefore, claim 22 is patentable over Cameron and Harrelson. Claim 23 is also patentable over Cameron and Harrelson based on its direct dependency on claim 20.

The Examiner objected to claims 6, 10, 11 and 17 and indicated that they would be patentable if rewritten in independent form. Claims 6, 10 and 11 depend directly from claim 1. Therefore claims 6, 10 and 11 are patentable for the same reasons that claim 1 is patentable and Applicants request that the objection be withdrawn. Claim 17 has been cancelled and the patentable concepts from claim 17 have been combined with the concept of claim 12 in new claim 21, therefore the objection with respect to claim 17 is moot.

It is respectfully submitted that all of the claims in the application are in condition for allowance. Early notification of allowability is respectfully requested. If there are any questions regarding this matter, please contact the undersigned attorney.

Respectfully submitted,

DOUGLAS D. LECLEAR AND CAROLYN L. SLONE

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By: Mark A Davis  
Mark A. Davis, Reg. No. 37,118  
McGARRY BAIR PC  
171 Monroe Avenue, NW, Suite 600  
Grand Rapids, Michigan 49503  
616-742-3500

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